

THE HON'BLE SRI JUSTICE D. APPA RAO

W.P. No. 9808 of 2001

Dated:19.07.2006

Between:-

S.Umamaheswar

..Petitioner

And

1. The General Manager, APSRTC, Hyderabad and others.

..Respondents.

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ORDER:

The petitioner is working as a Conductor at Rayadurg Depot and on his request, transferred to Anantapur, by the proceedings of R-2, dated 16-04-2001. Accordingly, the petitioner had reported to duty at Anantapur Depot. While so, by order dated 21-04-2001, the petitioner was redirected to go back to his previous place at Raydurg Depot without assigning any reason. Assailing the said order of transfer, the petitioner has come up with this writ petition for declaration that the order dated 21-04-2001 is illegal, arbitrary and unconstitutional and further direction to implement the proceedings dated 16-04-2001.

2. Evidently, the petitioner has been continuing at Anantapur Depot by virtue of an interim order of this Court, dated 16-05-2001. It is settled proposition of law that the transfer is an exigency of service. The employees are liable to be transferred either on administrative exigency or some other ground. Generally the Courts will not interfere with the orders passed on administrative grounds unless it is shown that grave irregularity has been committed. At any rate, for the last five years, by virtue of the interim orders, the petitioner has been continuing the work at Anantapur Depot.

3. Heard the learned counsel for the parties.

4. Considering the fact that the petitioner has been working at Anantapur Depot for the last five years and if the respondents

feel that the petitioner could be transferred on administrative grounds, it is needles to say that they could do so. However, it may be clarified that if the earlier order is routine and purely on administrative exigency, the transfer order could be given effect to without reference to the orders passed by this Court. By virtue of the present order, if the respondents feel that there is no need to transfer the petitioner, it is open to them not to transfer him.

5. Accordingly, the writ petition is disposed of with the above said direction. No costs.

2006

July 19,

KVR